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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
OKURA et al.) Examiner: P. Shukla
)
Appln. No.: 09/479,362) Washington, D.C.
)
Filed: January 1, 2000) July 20, 2001
)
For: GENOMIC DNA ENCODING A) Atty. Docket: OKURA=1A
POLYPEPTIDE CAPABLE OF...)

RESPONSE TO RESTRICTION REQUIREMENT

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

The Office Action of June 27, 2001, primarily in the nature of a requirement for restriction, has been carefully reviewed.

Restriction has been required between what the examiner deems to be three patentably distinct inventions, namely:

Group I, drawn to a composition of an isolated DNA molecule that comprises a fragment of human genomic DNA, and presently comprising claims 1, 4-7, 10, and 13;

Group II, drawn to a method of in vivo gene therapy by administering to a subject a composition of an isolated DNA molecule that comprises a fragment of human genomic DNA, and presently comprising claims 2, 3, 11, 14, and 16; and

Group III, drawn to a method of ex vivo gene therapy by administering to a subject a composition of tumor cells transformed with a composition of an isolated DNA molecule that

In re Appln. No. 05,479,862

comprises a fragment of human genomic DNA, and presently comprising claims 3, 9, 12, 15, and 17.

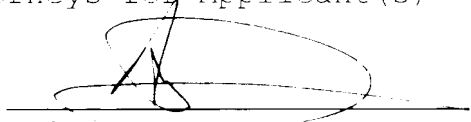
Applicants hereby elect without traverse Group III, presently comprising claims 3, 9, 12, 15, and 17.

Favorable consideration is respectfully requested.

Respectfully submitted,

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